

zinc fingers wherein the amino acid sequence of the first zinc finger comprises the sequence TTSNLRR (SEQ ID NO 814), the amino acid sequence of the second zinc finger comprises the sequence RSSNLQR (SEQ ID NO 1019), and the amino acid sequence of the third zinc finger comprises the sequence RSDHLSR (SEQ ID NO 1224).

25. The polynucleotide of claim 24, wherein the polypeptide binds to a target site comprising the nucleotide sequence GGGGAGGATC (SEQ ID NO 609).

26. The polynucleotide of claim 24, wherein the polypeptide further comprises a heterologous domain.

27. The polynucleotide of claim 26, wherein the heterologous domain is a transcription factor domain.

28. The polynucleotide of claim 27, wherein the transcription factor domain is an activation domain.

29. The polynucleotide of claim 28, wherein the activation domain comprises the HSV VP16 activation domain.

30. The polynucleotide of claim 28, wherein the activation domain comprises the p65 subunit of nuclear factor kappa B.

31. The polynucleotide of claim 27, wherein the transcription factor domain is a repression domain.

32. The polynucleotide of claim 31, wherein the repression domain comprises a KRAB repression domain.

33. The polynucleotide of claim 24, wherein the polypeptide further comprises a regulatory domain.

34. The polynucleotide of claim 33, wherein the polypeptide comprises multiple regulatory domains.

35. The polynucleotide of claim 26, wherein the heterologous domain binds non-covalently to a polypeptide comprising a regulatory domain.

36. The polynucleotide of claim 24 operably linked to a promoter.

37. The polynucleotide of claim 24, wherein the polypeptide modulates expression of a target gene.

38. The polynucleotide of claim 37, wherein the target gene is VEGF.

Attached hereto is a **marked up copy of the specification** and a **currently pending claim set**.

## II. REMARKS

Claims 1 and 18-23 are pending and were subject to restriction (see Paper #23). This preliminary amendment is submitted concurrently with a request for continued prosecution (CPA). New claims 24-38 are presented herein. Support for these claims can be found throughout the specification as filed, for example on page 30, line 9 (describing target site of SEQ ID NO:609 and amino acid SEQ ID Nos:814, 1019 and 1224 which bind to this target sequence); page 12, line 26 to page 13, line 12 (claims 26 to 32); page 6, lines 10-14 (claims 33-35); page 5, lines 14 to 21 (claim 36); page 5, line 24 to page 6, line 9 and page 18, lines 7-17 (claims 37 and 38). The specification has been amended to replace the reference to an attorney